



General Assembly

Amendment

May Special Session, 2016

LCO No. 6530



Offered by:

REP. KLARIDES, 114th Dist.
REP. CANDELORA, 86th Dist.
REP. MINER, 66th Dist.
REP. O'NEILL, 69th Dist.
REP. HOYDICK, 120th Dist.

To: Senate Bill No. 505

File No.

Cal. No.

"AN ACT CONCERNING A SECOND CHANCE SOCIETY."

1 Strike subdivision (1) of subsection (a) of section 28 in its entirety
2 and insert the following in lieu thereof:

3 "(a) (1) Except as provided in [subsection (b)] subsections (b) and (c)
4 of this section, when any arrested person is presented before the
5 Superior Court, said court shall, in bailable offenses, promptly order
6 the release of such person upon the first of the following conditions of
7 release found sufficient to reasonably ensure the appearance of the
8 arrested person in court: (A) Upon [his] such person's execution of a
9 written promise to appear without special conditions, (B) upon [his]
10 such person's execution of a written promise to appear with
11 nonfinancial conditions, (C) upon [his] such person's execution of a
12 bond without surety in no greater amount than necessary, or (D) upon
13 [his] such person's execution of a bond with surety in no greater

14 amount than necessary. In addition to or in conjunction with any of the
15 conditions enumerated in subparagraphs (A) to (D), inclusive, of this
16 subdivision, the court may, when it has reason to believe that the
17 person is drug-dependent and where necessary, reasonable and
18 appropriate, order the person to submit to a urinalysis drug test and to
19 participate in a program of periodic drug testing and treatment. The
20 results of any such drug test [shall not] may be admissible in any
21 criminal proceeding concerning such person."

22 Strike subdivision (1) of subsection (b) of section 28 in its entirety
23 and insert the following in lieu thereof:

24 "(b) (1) When any arrested person charged with the commission of
25 (A) a class A felony, (B) a class B felony, except a violation of section
26 53a-86 or 53a-122, (C) a class C felony, except a violation of section 53a-
27 87, 53a-152 or 53a-153, [or] (D) a class D felony under sections 53a-60 to
28 53a-60c, inclusive, section 53a-72a, 53a-95, 53a-103, 53a-103a, 53a-114,
29 53a-136 or 53a-216, or [a] (E) any family violence crime, as defined in
30 section 46b-38a, is presented before the Superior Court, said court
31 shall, in bailable offenses, promptly order the release of such person
32 upon the first of the following conditions of release found sufficient to
33 reasonably ensure the appearance of the arrested person in court and
34 that the safety of any other person will not be endangered: [(A)] (i)
35 Upon such person's execution of a written promise to appear without
36 special conditions, [(B)] (ii) upon such person's execution of a written
37 promise to appear with nonfinancial conditions, [(C)] (iii) upon such
38 person's execution of a bond without surety in no greater amount than
39 necessary, [(D)] or (iv) upon such person's execution of a bond with
40 surety in no greater amount than necessary. In addition to or in
41 conjunction with any of the conditions enumerated in [subparagraphs
42 (A) to (D), inclusive, of] this subdivision, the court may, when it has
43 reason to believe that the person is drug-dependent and where
44 necessary, reasonable and appropriate, order the person to submit to a
45 urinalysis drug test and to participate in a program of periodic drug
46 testing and treatment. The results of any such drug test [shall not] may
47 be admissible in any criminal proceeding concerning such person."

48 Strike subsection (c) of section 28 in its entirety and substitute the
49 following in lieu thereof:

50 "(c) Except in the case of an arrested person charged with failure to
51 appear pursuant to section 53a-173, or a family violence crime, as
52 defined in section 46b-38a, or if the court makes a finding on the record
53 that the arrested person would pose a risk to the safety of another
54 person upon release, when any arrested person, charged with no crime
55 other than a misdemeanor, is presented before the Superior Court, said
56 court shall promptly order the release of such person upon the first of
57 the following conditions of release found sufficient to reasonably
58 ensure the appearance of the arrested person in court: (1) Upon such
59 person's execution of a written promise to appear without special
60 conditions, (2) upon such person's execution of a written promise to
61 appear with nonfinancial conditions, or (3) upon such person's
62 execution of a bond without surety in no greater amount than
63 necessary. In addition to or in conjunction with any of the conditions
64 enumerated in subdivisions (1) to (3), inclusive, of this subsection, the
65 court may, when it has reason to believe that the person is drug-
66 dependent and where necessary, reasonable and appropriate, order the
67 person to submit to a urinalysis drug test and to participate in a
68 program of periodic drug testing and treatment. The results of any
69 such drug test may be admissible in any criminal proceeding
70 concerning such person."